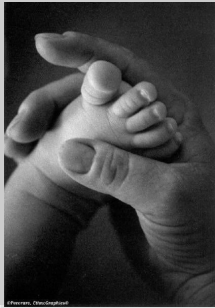


May 23, 2008



COMMONWEALTH OF KENTUCKY

FIRST STEPS
KENTUCKY'S EARLY INTERVENTION SYSTEM

TOTS Update

This week we spent some time working on a new feature in TOTS – the Routines Based Interview page. The RBI page allows service coordinators to capture information about family routines, the family's level of satisfaction with those routines and whether or not those routines or intervention targeting those routines are a priority for the family. This information is maintained on a page that will be accessible to service providers, in-

cluding primary level evaluators, so that it may inform the evaluation, assessment and service planning process.



Technology-assisted Observation and Teaming Support system

Thinking Guide to Inclusive Childcare

Disability Rights of Wisconsin compiled this guide to offer ideas and strategies to support childcare practices that consider the needs of individual children and promote an inclusive experience for the families and children. The document encourages programs to operate as “thinking organizations” by learning to ask the kinds of questions that lead to creative solutions for the education, support and inclusion of young children with a wide range of abilities. Instead of describing disability-specific interventions, this guide shares how to engage staff and families in conversations that can help respond to challenges as they arise. Download at <http://www.disabilityrightswi.org/wp-content/uploads/2008/02/thinking-guide-to-inclusive-child-care.pdf>

A new Commonwealth Fund Publication (CMWF) on the Assuring Better Child Health and Development (ABCD) initiative from the National Academy for State Health Policy (NASHP)

The second phase of the Assuring Better Child Health and Development (ABCD) initiative--supported by The Commonwealth Fund and administered by the National Academy for State Health Policy (NASHP)--provided five states with the opportunity to develop and test strategies for preventing developmental delays and providing early intervention services. Improving the Delivery of Health Care That Supports Young Children's Healthy Mental Development: Update on Accomplishments and Lessons from a Five-State Consortium, by NASHP's Neva Kaye and Jill Rosenthal, shows how these states were able to improve screening and follow-up services for young children by upgrading insurance coverage, reforming reimbursement policies, and boosting health system performance. Read the report to learn more, and also be sure to check out the ABCD Resource Center.

Preschool Special Education Regulation Change

At this month's Technical Assistance Team meeting, Paula Goff from the Kentucky Department of Education shared information regarding recent changes to the special education regulations in Kentucky. Probably the most significant change and certainly of most interest to First Steps is the change to the Child Find regulations (707 KAR 1:300).

Ms. Goff prefaced our discussion of the changes by reminding us that the Individuals with Disabilities Education Act was reauthorized in 2004. The Part B regulations implementing the changes made to the IDEA in 2004 were finalized in 2006 and Kentucky's regulatory changes in response were finalized in 2007.

The changes to Kentucky's Child Find regulations have been made in response to pressure from the Department of Education, Office of Special Education Programs (OSEP) to appropriately and responsibly identify children who may need special education and related services. This pressure has been placed on all states following years of over identification and disproportionate representation in special education. Kentucky has high numbers of children identified as developmental delay, other health impaired and emotional/behavior disorders.

707 KAR 1:300 Section 3: Referral System reads:

- (1) An LEA (Local Education Agency) shall have a referral system that explains how referrals from district or non-district sources will be accepted and acted upon in a timely manner.
- (2) The referral system shall be conducted in such a manner as to prevent inappropriate over identification or disproportionate representation by race and ethnicity of children in special education by ensuring that each child has been provided appropriate instruction and intervention services prior to referral.
- (3) The LEA shall ensure that:
 - (a) Prior to, or as a part of the referral process, the child is provided appropriate, relevant research-based instruction and intervention services in regular education settings With the instruction provided by qualified personnel; and
 - (b) Data-based documentation of repeated assessments of achievement or measures of behavior is collected and evaluated at reasonable intervals, reflecting systematic assessment of student progress during instruction, the results of which were provided to the child's parents.
- (4) If the child has not made adequate progress after an appropriate period of time during which the conditions in subsection (3) of this section have been implemented, a referral for an evaluation to determine if the child needs special education and related services shall be considered.

So, what does this mean for children and families leaving First Steps? Ms. Goff shared the following information:

As part of the transition conference, the school district must determine (1) what was provided by First Steps, (2) where was it provided, (3) who provided it, (4) what documentation of progress is available and (5) is that documentation sufficient.

School districts have been given broad flexibility in how they make these determinations. This is good for school districts, but places a burden on First Steps service coordinators and providers to manage referral processes that may look different from school district to school district. Ms. Goff shared how school districts may handle referrals from First Steps:

Issue: Regular Education Setting

Possible

Action: With the understanding that the natural or normal setting (regular "education" setting) for a child under the age of three is the home or other community or child care setting, the school district may determine that this requirement is met.

(continued on page 3)

Issue: Qualified Staff

Possible

Action: Given that First Steps providers meet state approved or recognized certification, licensing, registration or other comparable requirements that apply to the area in which they are providing First Steps services, the school district may determine that this requirement is met.

Issue: Research-Based Instruction

Possible

Action: This is a requirement that may be interpreted more variably across school districts. Ms. Goff shared that some school districts may review the IFSP and based on their review of the service plan, determine that appropriate and relevant research-based instruction has indeed been provided. However, for children receiving primarily occupational and physical therapy and not developmental intervention, school districts may question whether or not that was really “instruction”. This is because school districts consider OT and PT “related services” rather than “instruction”.

Issue: Documentation of Repeated Assessments of Achievement

Possible

Action: Again, this is a requirement that may be interpreted more variably across school districts. Ms. Goff shared that some school districts may review the IFSP and based on their review of the service plan, determine that the documentation of progress is sufficient to either determine that (1) a referral to special education is not necessary, (2) a referral is necessary and refer the child for evaluation, or (3) the school district needs to provide some level of instruction and document progress over time before a decision can be made to refer to special education.

While the IFSP may provide sufficient documentation in some cases, it is more likely that school districts will be looking for more documentation than they have in the past. This may mean that school districts will want to review 6 month progress summaries or even individual daily notes.

An important thing to remember is that these new regulations do not absolve the school district of its obligation to assure that an IEP is in place on the child’s third birthday if the child had been participating in First Steps and appropriate transition steps have occurred. We should not rely on this requirement to protect our families, however. Given that we are now aware of the burden that has been placed on Part B, it is in the best interest of our families to be proactive. At the very least, First Steps POE Managers and all service coordinators should coordinate or participate in scheduled dialogues with local school districts to discuss how the school district is planning to address the new regulatory Child Find requirements and, consistent with current policy, begin transition planning early. Additionally, First Steps providers should be mindful of existing First Steps requirements related to the documentation of progress and assure that child progress is documented appropriately in case/progress notes as well as formal progress summaries.

Finally, service coordinators should be aware that there may be some children who will not be eligible under the new process. If the school district determines that adequate progress has been made – either in First Steps or during the time that the school district provides intervention – the school district may decide not to proceed with a referral to special education.

Ms. Goff stated that children who are currently transitioning will not likely be subjected to the new process. However, school districts are required to have policies and procedures in place by September 1, 2008, so First Steps service coordinators and providers should expect to see this process rolling out over the summer and into next Fall. KDE is working on a Q and A for school districts and when that is complete we will share that with First Steps stakeholders as well.

Reminder

Don't Forget to Register

The Arc of Kentucky

53rd Annual Conference

**in collaboration with the Greater Louisville Metro Arc
and Kentucky TASH**

UNBRIDLED POSSIBILITIES:

**Best Practices for People with Intellectual and/or
Developmental Disabilities and their Families**

June 6 & 7, 2008

The Executive West Hotel

Louisville, Kentucky

Conference Rate for Lodging has been extended until May 20th.

******Conference Highlights******

Pre-Conference Sessions

Behavior Support

Transition to Adult Life

Keynote Speaker:

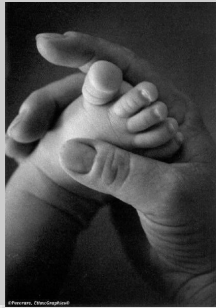
Jeff Strully, Executive Director, Jay Nolan Community Services

**Agua Dulce, California and parent of adult daughter with intellectual and
developmental disabilities who was fully included in school including college.**

Breakout Conference Strands - Education - Self Advocacy - Community Living

**For conference registration, contact The Arc of Kentucky, (800) 281-1272 or
download from website at www.arcofky.org**

May 30, 2008



COMMONWEALTH OF KENTUCKY

FIRST STEPS

KENTUCKY'S EARLY INTERVENTION SYSTEM

TOTS Update

In one of our first TOTS updates, we talked about the system requirements that users would need to have when accessing and working in TOTS. We stated that service coordinators and POE users must use Internet Explorer and service providers may use other web browsers. We went on to say that users must be on a Windows operating system. We received a question this week wondering whether a user could access TOTS when operating a Mac. The answer right now is no. This may be a function that can be

developed at a later date. However, with the initial roll out, persons accessing TOTS will need to do so using a PC.



Technology-assisted Observation and Teaming Support system

Central Office News



Julie Brooks was honored at the March of Dimes luncheon this week for her work at this year's March for Babies. She was recognized with plaques for coordinating the team, Newborn Steps which raised the most dollars in the March for Babies walk. The Newborn Steps team raised \$1,225. She was also honored for raising the most dollars individually-\$700.

Lisa, Paul, and Elizabeth safely returned from China last week with their new daughter EmmaLi.

She's a curious, energetic 2 year old and I know she will bring them joy. They are elated to finally have EmmaLi home.

Congratulations Dorman Family!!!



Wonderful Resource Websites-Check 'em out!

You'll find developmental information appropriate for providers and families at the early intervention support site and nutritional support educational materials at the KY Nutrition Services website.

<http://www.earlyinterventionsupport.com/default.aspx>

<http://chfs.ky.gov/dph/ach/ns/Nutrition+Education+Materials.htm>

Attention: Families, Early Interventionists, Therapists, Counselors, Teachers & Students.

The American Association of Home-Based Early Interventionists

(AAHBEI) is sponsoring the **SE Regional Conference**

in Norcross, Georgia

July 13-15, 2008.

AAHBEI has an twelve-year track record of providing quality in-service opportunities at a very reasonable price.

Pre-Session:

-

Why Do We Do What We Do? - Marya Malinowski

Break out Sessions to include:

-

Hearing Loss, Visual Impairment, Autism, Natural Environment, Home Visiting, Literacy, Behavior and many more.

Key Note Speakers:

Ann Turnbull

Early Childhood Family Support Communities of Practice.

Kevin O'Connor

Parents and Preofessional Providers: Building a Partnership that has Impact and that Will Last.

Conference outline & registration information may be found on the AAHBEI website www.aahbei.org

or you may contact: Sandra Wieber at s_wieber@bellsouth.net

The Symposium will be held at The Lodge at Simpsonwood in Norcross, Georgia.

Registration is limited and there is a deadline for registering!

Please feel free to pass along to those who might be interested.